

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----x
MICHAEL GARCIA,

Petitioner,

v.

SUSAN SCHULTZ, Superintendent,
Edgecombe Correctional Facility,
and ELIOT SPITZER,
New York State Attorney General,

Respondents.
-----x

BARBARA S. JONES
UNITED STATES DISTRICT JUDGE

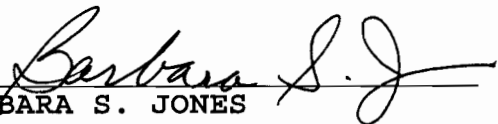
USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 4/2/10

05 Cv. 2428 (BSJ)

Order

After having reviewed Magistrate Judge Dolinger's Report and Recommendation dated January 13, 2010, and having received no objections thereto, I hereby confirm and adopt the Report in its entirety, having been satisfied that there is no clear error on the face of the record. See Nelson v. Smith, 618 F. Supp. 1186, 1189 (S.D.N.Y. 1985). Accordingly, Respondent's motion to dismiss the Petition with prejudice is GRANTED. Because no further issues remain to be decided in this action, the Clerk of the Court is directed to close the case.

SO ORDERED:


BARBARA S. JONES
UNITED STATES DISTRICT JUDGE

Dated: New York, New York
April 2, 2010